

no conditions the Court can impose that would reasonably assure the defendant's appearance at all scheduled hearings and the safety of other persons or the community.

The factors to be considered by the Court are enumerated in Title 18, United States Code, Section 3142(g). The evidence at the hearing established that the weight of the evidence against defendant is overwhelming.

Regarding the potential for failure to appear, the Court notes the offense charged and defendant's criminal history which includes failure to appear, criminal activity while under supervision, non-compliance while on probation and supervised release, and use of aliases. The Court also notes defendant's substance abuse history and lack of verifiable, legitimate employment.

Regarding the potential danger to the community, the Court notes the nature of the instant offense and defendant's criminal history which includes, but is not limited to, the following: prior arrests and convictions; criminal activity while under supervision; non-compliance while on probation and supervised release; history of weapons use; and, pattern of similar criminal activity history. In addition, the Court notes defendant's substance abuse history.

Based on all the foregoing, the Courts finds by a preponderance of the evidence that the defendant is a risk of flight, and finds by clear and convincing evidence that the defendant is a danger to the community.

IT IS THEREFORE ORDERED that the defendant be, and is hereby detained without bail.

IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States, or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED

DATED: April 30, 2019

/s/ David P. Rush
DAVID P. RUSH
United States Magistrate Judge